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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,772	01/04/2006	Majeed D. Salman	120083-146503	3231
60/172	7/5/0	10/25/2010		
SCHWABE, WILLIAMSON & WYATT, P.C. 1420 FIFTH, SUITE 3400 SEATTLE, WA 98101-4010			EXAMINER WILLIS, RANDAL L	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 10/25/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

Applicant's arguments filed 9/28/2010 have been fully considered but they are not persuasive. Applicant's first argument is that Matusis doesn't disclose detecting movement of the user's hands toward the key prior to activation of the key. However, in [0068] it is shown that Matusis's detector can identify the motion of the finger tip over a series of frame before the activation of the input sensor. Further, even though Matusis teaching is directed to distinguishing the finger from background noise, the scope of the claim is broad enough for this to read.

Applicant argues the official notice, namely that using motion to help in the determination of object's is well known, as shown by the supporting documents Cipolla (5,581,276) which teaches using translational motion directions in order to assist in object detection and Gutta (6,778,705) column 3 lines 60-65 which teaches using types of motion detected to distinguish between different objects. The motivation supplied for the official notice, is simply stating that the introduction of direction of motion would be seen as beneficial to one of ordinary skill in the art in the image analysis Matusis already did, namely allowing the sensor to be associated with multiple functions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RANDAL WILLIS whose telephone number is (571)270-

1461. The examiner can normally be reached on Monday to Thursday, 8am to 5pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RLW

/Amr Awad/  
Supervisory Patent Examiner, Art Unit 2629